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US PATENT & TRADEMARK  
OFFICE

Attorney Docket ERLG.P-033  
U.S. PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Coffey, et al  
Serial No: 10/091,978  
Filing Date: 03/05/2002  
Title: Data Storage Apparatus

**REQUEST FOR REFUND**

Via Facsimile  
Director of U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313

Attn: Refunds  
fax: 571-273-6500

Sir:

Attached hereto is a copy of a page from our American Express statement showing a charge on June 16<sup>th</sup>, 2005 of \$525.00 for the above-referenced application; \$395.00 for Fee Code 1801, Request for Continued Examination, and \$130.00 for fee code 1464 for a petition.

Also attached is a copy of our June Deposit account statement showing a charge on June 16<sup>th</sup> of \$395.00 for Fee Code 1801; Request For Continued Examination, for the above-referenced application. Since we have been charged twice for filing an RCE for this application, we are requesting a refund of the \$395.00 charged to our USPTO Deposit Account on June 16, 2005.

Respectfully submitted,  
OPPEDAHL & LARSON LLP



Carl Oppedahl  
Reg. No. 32,746  
P.O. Box 5068  
Dillon, CO 80435-5068  
970-468-6600

Enclosures

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Prepared For  
**CARL OPPEDAHL**  
**PPEDAHL&LARSON LLP**

Account Number  
**XXXX-XXXXX8-13008**

Closing Date  
**06/25/05**

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## New Activity Continued

\*\* Foreign Currency conversion rate is  
base rate plus 2%. See page 2 for details.

Foreign Spending

Amount \$

06/14/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	510.00
06/16/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	65.00
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06/16/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	65.00
06/16/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	525.00
06/16/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	80.00
06/16/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	40.00
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06/20/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	500.00
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06/21/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	200.00
06/22/05	EMPIRE IMPORTS, INC. BELCHERTOWN MA OFFICE EQUIP/SUPPLIES	115.00	115.00
06/22/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	240.00
06/22/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	160.00
06/22/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	VA	65.00

10092978 ERLG P033 Fee 525.00  
1464+180

## Total of New Activity for MARINA T LARSON

New Charges  
Payments/Credits 21,830.86  
0.00

## New Activity for RYAN ANDERSON

Card XXXX-XXXXX8-11038

06/09/05	SAFEWAY 000083FRISCO CO GROCERY STORE	13.91
06/20/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	65.00
06/21/05	CITY-MARKET #0420 SDILLON CO GROCERIES/SUNDRIES	7.68
06/21/05	US PATENT TRADEMARK 703-3054631 WWW.USPTO.GOV	40.00

## Total of New Activity for RYAN ANDERSON

New Charges  
Payments/Credits 126.59  
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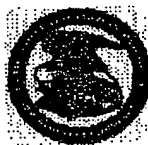
## Total of New Activity

New Charges  
Payments/Credits 38,059.52  
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Deposit Account Statement

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Page 1 of 1



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Trademark Office



### Deposit Account Statement

Requested Statement Month:	June 2005
Deposit Account Number:	150610
Name:	OPPEDAHL & LARSON LLP
Attention:	
Address:	P.O. BOX 5068
City:	DILLON
State:	CO
Zip:	80435-5068
Country:	UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/13	259	60581003	SNDN.P-004-PV	8007	\$20.00	\$2,313.00
06/14	7	60581003	SNDN.P-004-PV	8007	\$20.00	\$2,293.00
06/14	9	60521654	SNDN.P-005-PV	8007	\$20.00	\$2,273.00
06/15	2	10084235	HRCMP004	1201	\$200.00	\$2,073.00
08/15	58	E-REPLENISHMENT		9203	-\$500.00	\$2,573.00
08/16	18	10091978	ERLG.P-033	1801	\$395.00	<del>\$2,178.00</del>
08/17	21	10907790	AGAM.P012	8007	\$20.00	\$2,158.00
08/21	9	E-REPLENISHMENT		9203	-\$500.00	\$2,658.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$2,333.00	\$675.00	\$1,000.00	\$2,658.00

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Approved for use through 07/31/2008 OMB 0851-0031

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<p><b>Request for Continued Examination (RCE) Transmittal</b></p> <p>Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	Application Number	10/091,978	<b>FAX RECEIVED</b>	
	Filing Date	March 5, 2002		
	First Named Inventor	Coffey et al	<b>JUN 14 2005</b>	
	Art Unit	2182		
	Examiner Name	Peyton, Tammara R.		<b>OFFICE OF PETITIONS</b>
	Attorney Docket Number	ERLG.P-033		

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- iii. ☒ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s) / Declaration(s)
- iv. ☒ Other Pat. to Withdraw from Issue / PTO 2038
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees**
- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, Deposit Account No. \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.138 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>Marina T. Larson</i>	Date	June 14, 2005
Name (Print/Type)	Marina T. Larson	Registration No.	32,038

<p><b>CERTIFICATE OF MAILING OR TRANSMISSION</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.</p>	
Signature	<i>Marine T. Larsen</i>
Name (Print/Type)	Marine T. Larsen
Date	June 14, 2005

This collection of information is required by 35 U.S.C. 122 and 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PTO, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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35 571601 354.42 36 714 11

Adjustment date: 12/21/2005 SDIRETA1  
06/16/2005 AKELLEY 00000007 150610 10091978  
02 FC:1801 395.00 CR -395.00 DP

2/21/2005 SDIRETA1 00000012 10091978 395.00 0P

01 FC:2801